

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RAUL RUBIO MASCORRO,

Civil No. 15-2708 (JRT/HB)

Petitioner,

v.

BRUCE REISER,

**ORDER ON REPORT
AND RECOMMENDATION**

Respondent.

Raul Rubio Mascorro, #239523, MCF-Lino Lakes, 7525 Fourth Avenue,
Lino Lakes, MN 55014, *pro se* plaintiff.

Matthew Frank, **MINNESOTA ATTORNEY GENERAL'S OFFICE**,
445 Minnesota Street, Suite 1800, St Paul, MN 55101-2134, for defendant.

The above-entitled matter came before the Court upon the Report and
Recommendation of the United States Magistrate Judge. No objections have been filed to
the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the
files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Respondent's Motion to Dismiss [Doc. No. 10] is **GRANTED**;
3. This matter is **DISMISSED WITH PREJUDICE**;
4. Petitioner Raul Rubio Mascorro's application to proceed *in forma pauperis* [Doc. No. 2] is **DENIED**; and

5. No certificate of appealability is issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 27, 2015
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court